



14 January 2000

ICTY WEEKLY UPDATE – 108

LAST MINUTE NEWS:

KUPREŠKIĆ & OTHERS CASE

Trial Chamber II – Judges Cassese (Presiding), May and Mumba

Dragan Papić was released from the United Nations Detention Unit this afternoon pursuant to the order for his immediate release issued by the Trial Chamber in light of the Judgement rendered today (see below) in which Papić was found not guilty.

PROCEDURAL DEVELOPMENTS:

I. OVERVIEW OF COURT PROCEEDINGS

KORDIĆ & ČERKEZ CASE

Trial Chamber III – Judges May (Presiding), Bennouna and Robinson

The Trial Chamber reconvened this week in the absence of Judge Robinson, who was away from the Tribunal for urgent personal reasons. The Prosecution continues to present its case-in-chief.

On Monday 10 January, the Trial Chamber heard the testimony of Mr. Anto Breljas, a member of the special purpose unit, known as the Vitezovi, between March 1993 and April 1994.

On joining the Vitezovi as a lieutenant Mr. Breljas became a political officer in the information and propaganda unit. As such his duties involved, amongst other things, monitoring activities, being in charge of the social problems of the soldiers in the unit and responsibility for the treatment of prisoners. The witness also participated in the weekly press conferences held by Dario Kordić and acted as a liaison officer with international organisations, particularly UNPROFOR.

Mr. Breljas's testimony also dealt with Dario Kordić's influence in military matters, conditions of detention of the prisoners in the Dubravica school and the command structure, particularly involving Blaškić and Čerkez.

On Tuesday 11 January, the cross-examination of Mr. Breljas was completed, after which the Trial Chamber heard the testimony of Colonel Johannes Jacobus de Boer, a lieutenant-colonel serving as the commander of the 105th Dutch Transportation Battalion who acted as the commander of the 1st UNPROFOR Transportation Battalion based in Busovaca from approximately November 1992 to 3 May 1993.

Colonel de Boer testified regarding, amongst other things, meetings he attended with Kordić and his perception of Kordić's position of superiority.

The Prosecution then called Cornelius Van der Pluijma, a retired Major in the Dutch army, who served as an ECMM monitor from the 12 January to 7 April 1993. The witness testified regarding, amongst other things, his perception of Kordić's position of superiority, communication abilities of the HVO, prisoners exchanges, checkpoints in the area and the setting up the Busovača Joint Commission.

His cross-examination was concluded on Wednesday morning. The Trial Chamber then held an evidentiary hearing, the latter part of which was held in closed session.

On Thursday 13 January, the Trial Chamber held an *ex parte* hearing in open session during which the Prosecution and counsel for the Republic of Croatia made submissions with regard to a) the non-

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compliance to the Trial Chamber order to the Republic of Croatia for the production of documents dated 22 January and 4 February 1999; and b) the Prosecutor's applications for an order to the Republic of Croatia for the production of documents, dated 16 April and 19 July 1999.

On Friday 14 January, the Trial Chamber held an *ex parte* hearing in open session with the Defence and counsel for the Republic of Croatia.

KUPREŠKIĆ & OTHERS CASE

Trial Chamber II – Judges Cassese (Presiding), May and Mumba

On Friday 14 January 2000, the Trial Chamber rendered its Judgement, sentencing each accused as follows: Zoran Kupreškić: 10 years' imprisonment; Mirjan Kupreškić: 8 years' imprisonment; Vlatko Kupreškić: 6 years' imprisonment; Drago Josipović: 15 years' imprisonment; Vladimir Šantić: 25 years' imprisonment; Dragan Papić: acquitted (see Press Release No. 462).

TADIĆ CASE

Appeals Chamber – Judges Shahabuddeen (Presiding), Cassese, Wang, Nieto-Navia and Mumba

On Friday 14 January, the Appeals Chamber heard oral arguments on the appeal against the sentence handed down by the Trial Chamber in 1997, and the appeal against sentence on the additional counts handed down by the Trial Chamber on 11 November 1999.

II. OVERVIEW OF COURT DOCUMENTS

ALEKSOVSKI CASE

SUBMISSIONS ON DOCTRINE OF *STARE DECISIS* AND DEFENCE OF NECESSITY FILED

Pursuant to a scheduling order issued on 8 December 1999 by the Appeals Chamber (Judges May (Presiding), Wang, Mumba, Hunt and Robinson), on 11 January 2000 the Prosecution and counsel for the accused filed their submissions on doctrine of *stare decisis* (precedent) and the defence of necessity.

DELALIĆ & OTHERS CASE

MUCIĆ'S REQUEST FOR PROVISIONAL RELEASE DENIED

On 30 December 1999, the Appeals Chamber (Judges Hunt (Presiding), Riad, Wang, Nieto-Navia, Bennouna) denied Mucić's request for provisional release filed on 17 December 1999 in which the appellant sought provisional release for one week to take care of his elderly father.

The Trial Chamber found that it is not satisfied that Mucić, if released, would appear for appeal proceedings and would not pose a danger to any victim, witness or other person.

COURTROOM SCHEDULE: 17 JANUARY – 21 JANUARY *

MONDAY 17 JANUARY

Courtroom III 09:30, **Kordic/Cerkez**, Trial
 14:30, **Kordic/Cerkez**, Trial

TUESDAY 18 JANUARY

Courtroom III 09:30, **Kordic/Cerkez**, Trial
 14:30, **Kordic/Cerkez**, Trial

WEDNESDAY 19 JANUARY

Courtroom III 09:30, **Kordic/Cerkez**, Trial
 14:30, **Kordic/Cerkez**, Trial

THURSDAY 20 JANUARY

Courtroom II 10:00, **Martinovic**, Status Conference
Courtroom III 09:30, **Kordic/Cerkez**, Trial
 14:30, **Kordic/Cerkez**, Trial

*The courtroom schedule is provisional and you are invited to check for last minute changes with the Public Information Services. Unless otherwise indicated, all sessions are open.

PRESS RELEASES ISSUED SINCE 24 DECEMBER

DATE ISSUED	NUMBER	TITLE
24/12/99	458	ZORAN VUKOVIC DETAINED BY SFOR IN BOSNIA AND HERZEGOVINA
30/12/99	459	STATEMENT BY MADAME CARLA DEL PONTE, PROSECUTOR OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA.
06/01/00	460	ICTY COURT PROCEEDINGS TO RESUME IN FULL SWING AS OF NEXT MONDAY
06/01/00	461	APPOINTMENT OF PROFESSOR FAUSTO POCAR TO SUCCEED JUDGE ANTONIO CASSESE ON 1 FEBRUARY 2000
14/01/00	462	JUDGEMENT IN THE "KUPRESKIC AND OTHERS" CASE FIVE ACCUSED SENTENCED TO TERMS OF IMPRISONMENT RANGING FROM 6 TO 25 YEARS AND ONE ACCUSED ACQUITTED

For the latest list of all court filings, please visit the [ICTY Court Records](#)

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